IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7141 of 2005

Between:

Thangella Satyanarayana Raju, s/o Rama Raju,
R/o Khammam

..... PETITIONER

AND

1. The Special Deputy Collector (TW), Bhadrachalam,

Khammam District.
2 The Mandal Revenue Officer, Enkur, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any proper writ, order or direction, more particularly, one in the nature of a writ of mandamus declaring the proceedings of the 1st respondent in case No.405/96/ENK dated 24-1-2005 as illegal and void and consequently set aside the same.

Counsel for the Petitioner:MR.A.RAMALINGESWAR RAO

Counsel for the Respondent Nos.1 and 2: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following O R D E R:

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION No.7141 OF 2005

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O R D E R:

The petitioner filed the writ petition against the impugned proceedings of the first respondent dated 24.01.2005, whereunder he ordered for ejectment of the petitioner from an extent of Ac.4.00 in Sy.No.12 of Medepalli village, Khammam District, and be taken into Government custody and assign the same to the eligible tribals as per the rules.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

Admittedly, an appeal lies to the Government within two months from the date of impugned proceedings. It is not a case where principles of natural justice are violated or the rights of the petitioner are infringed or that the Special Deputy Collector (TW) lacks jurisdiction to entertain the matter. The only contention raised by the petitioner is that he was not served with any notices and, therefore, the impugned proceedings are illegal and contrary to law. But, a perusal of the impugned proceedings go to show that requisite notices

intimating the date of appearance were also issued to both parties as per rules and, therefore, the contention raised by the petitioner is untenable.

Hence, the writ petition is totally devoid of merits and is dismissed. However, the petitioner is at liberty to avail the alternative remedy available to him under law.

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(K.C.BHANU,J)

Dt:1st April, 2005

Usd

To

1. The Special Deputy Collector (TW), Bhadrachalam, Khammam District.

2 The Mandal Revenue Officer, Enkur, Khammam District.

3 Two CCs to G.P. for Social Welfare, High Court of A.P., Hyderabad (OUT).

4 Two CD copies.